

Union Proposal - Documented Oral Counseling

Section X.XX

Workers may request in writing to the Department Head with a copy to Employee Relations that Documented Oral Counseling which are 1 or more years old be sealed and kept separate from the worker's personnel files. Said Documented Oral Counseling shall be sealed and removed provided the following conditions are met:

1. The file does not contain subsequent letters of reprimand or records of disciplinary action involving the same type of infraction in which case the prior letter of reprimand will remain in the worker's personnel file until the most current related letter of reprimand or record of disciplinary action is 1 year old.
2. The worker has not been notified in writing of pending disciplinary action at the time the written request to remove said letters of reprimand is received by the Department Head.

This Section does not apply to the records of a worker relating to the investigation of a possible criminal offense or to letters of reference; provided, however, that pre-employment reference materials obtained in confidence shall be removed from official personnel files after one year of continuous County employment.

With regards to the investigation of a possible criminal offense, if such investigation leads to neither conviction nor to disciplinary action, reference to the investigation shall be removed from the worker's personnel file. If the criminal investigation results in conviction and/or disciplinary action any reference to the investigation which may be in the worker's personnel file will be retained and will be subject to inspection pursuant to this Section.

Local 3 reserves the right to modify, edit or amend proposals during the course of negotiations

March 7, 2011